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PTO/SB/64 (09-06)  
Approved for use through 03/31/2007. OMB 0651-0031  
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE  
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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT  
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)  
**BP1235**

First named inventor: **Steven T. Jaffe**

Application No.: 09/729,443

Art Unit: 2611

Filed: 12-04-2000

Examiner: Torres, Juan A.

Title: Viterbi slicer for turbo codes

Attention: Office of Petitions

**Mail Stop Petition**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

FAX (571) 273-8300

03/28/2007 WABDEL R1 00000084 09729443

01 FC:1453

1500.00 OP

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus an extensions of time actually obtained.

**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed before June 8, 1995, and for all design applications; and
- (4) Statement that the entire delay was unintentional.

**1. Petition fee**

☐ Small entity-fee \$ \_\_\_\_\_ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

☒ Other than small entity - fee \$ 1,500.00 (37 CFR 1.17(m))

**2. Reply and/or fee**

A. The reply and/or fee to the above-noted Office action in the form of response to office action mailed on 07-10-2006 (identify type of reply):

- ☐ has been filed previously on \_\_\_\_\_  
☒ is enclosed herewith.

B. The issue fee and publication fee (if applicable) of \$ \_\_\_\_\_

- ☐ has been paid previously on \_\_\_\_\_  
☐ is enclosed herewith.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

03/28/2007 WABDEL R1 00000084 09729443

1500

## 3. Terminal disclaimer with disclaimer fee

☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ \_\_\_\_\_ for a small entity or \$ \_\_\_\_\_ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

**WARNING:**

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

/SXShort/ Reg. No. 45,105

Signature

03-23-2007

Date

Shayne X. Short, Ph.D. (Reg. No. 45,105)

Typed or printed name

45,105

Registration Number, if applicable

P.O. BOX 160727

Address

512-825-1145

Telephone Number

AUSTIN, TEXAS 78716-0727

Address

Enclosures: ☒ Fee Payment

☒ Reply

☐ Terminal Disclaimer Form

☒ Additional sheets containing statements establishing unintentional delay

☒ Other: POWER OF ATTORNEY and CORRESPONDENCE ADDRESS INDICATION FORM, and others

**CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]**

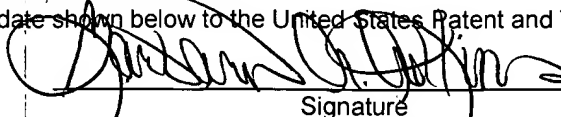
I hereby certify that this correspondence is being:

☒ Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

☐ Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (571) 273-8300.

03-23-2007

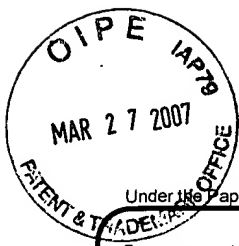
Date



Signature

Barbara A. Adkins

Typed or printed name of person signing certificate



PTO/SB/17 (07-06)

Approved for use through 01/31/2007. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995 no persons are required to respond to a collection of information unless it displays a valid OMB control number

Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

# FEE TRANSMITTAL

## For FY 2006

☐ Applicant claims small entity status. See 37 CFR 1.27TOTAL AMOUNT OF PAYMENT (\$)  
1500**Complete if Known**

Application Number	09/729,443
Filing Date	12-04-2000
First Named Inventor	Steven T. Jaffe
Examiner Name	Torres, Juan A.
Art Unit	2611
Attorney Docket No.	BP1235

**METHOD OF PAYMENT** (check all that apply)

- ☐ Check ☒ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_
- ☒ Deposit Account Deposit Account Number: 50-2126 Deposit Account Name: Garlick Harrison & Markison
- For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)
- ☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, **except for the filing fee**
- ☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

**2. EXCESS CLAIM FEES****Fee Description**

	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

**Total Claims**      **Extra Claims**      **Fee (\$)**      **Fee Paid (\$)**

\_\_\_\_\_ - 20 or HP = \_\_\_\_\_ x \_\_\_\_\_ = \_\_\_\_\_

HP = highest number of total claims paid for, if greater than 20.

**Indep. Claims**      **Extra Claims**      **Fee (\$)**      **Fee Paid (\$)**

\_\_\_\_\_ - 3 or HP = \_\_\_\_\_ x \_\_\_\_\_ = \_\_\_\_\_

HP = highest number of independent claims paid for, if greater than 3.

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

**Total Sheets**      **Extra Sheets**      **Number of each additional 50 or fraction thereof**      **Fee (\$)**      **Fee Paid (\$)**

\_\_\_\_\_ - 100 = \_\_\_\_\_ / 50 = \_\_\_\_\_ (round up to a whole number) x \_\_\_\_\_ = \_\_\_\_\_

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): petition fee as set forth in 37 CFR 1.17(m) (\$1,500)

**Fees Paid (\$)**

1500

**SUBMITTED BY**

Signature	/SXShort/ Reg. No. 45,105	Registration No. (Attorney/Agent) 45,105	Telephone 512-825-1145
Name (Print/Type)	Shayne X. Short, Ph.D. (Reg. No. 45,105)		Date 03-23-2007

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

*If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.*



**PATENT APPLICATION  
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

<b>Application Serial No:</b> 09/729,443	<b>Attorney Docket No:</b> BP1235
<b>Application Filing Date:</b> 12-04-2000	<b>Inventor(s):</b> Steven T. Jaffe, Kelly Brian Cameron, Christopher R. Jones
<b>Examiner:</b> Torres, Juan A.	
<b>Art Group:</b> 2611	<b>Patent No:</b> n/a
<b>Confirmation No:</b> 6265	<b>Patent Issue Date:</b> n/a
<b>Title:</b> Viterbi slicer for turbo codes	

Date: 03-23-2007

Mail Stop PETITION  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT  
ABANDONED UNINTENTIONALLY UNDER 37 C.F.R. § 1.137(b)**

The Applicant respectfully hereby petitions under 37 C.F.R. § 1.137(b) to revive the present U.S. utility patent application on the grounds of UNINTENTIONAL DELAY.

The Applicant submits this petition within 2 months of the mailing date of the NOTICE OF ABANDONMENT (Part of Paper No./Mail Date 20070122), which was mailed on 02-12-2007.

In accordance with MPEP § 711.03(c) the Applicant respectfully submits the following with this petition under 37 C.F.R. § 1.137(b):

- (A) the required reply, unless previously filed;
- (B) the petition fee as set forth in 37 CFR 1.17(m); and
- (C) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional.

The Applicant respectfully believes that no terminal disclaimer is required pursuant to 37 C.F.R. § 1.137(d) for the present U.S. utility patent application, as the present U.S. utility patent application was filed after June 8, 1995 and after May 29, 2000.

The Applicant is submitting herewith a reply to the office action that was mailed on 07-10-2006 (Part of Paper No./Mail Date 20060613).

The Applicant is submitting a petition fee as set forth in 37 CFR 1.17(m) of \$1,500.00.

The Applicant respectfully asserts that the entire delay in filing the required reply from the due date for the reply until the filing of this grantable petition pursuant to 37 C.F.R. § 1.137(b) was unintentional.

Also, the Applicant respectfully points out the correspondence address of the above-referenced U.S. utility patent application has still not yet been updated and associated with the USPTO CN 51472 (despite a POWER OF ATTORNEY and CORRESPONDENCE ADDRESS INDICATION FORM that was mailed to the United States Patent and Trademark Office (USPTO) on 03-10-2006 that appoints practitioners associated with USPTO CN 51472).

#### **POWER OF ATTORNEY**

The Applicant is also re-submitting a “power of attorney” herewith that re-appoints practitioners associated with USPTO CN 51472 and also re-indicates the correspondence address (USPTO CN 51472).

The Applicant did also submit a POWER OF ATTORNEY and CORRESPONDENCE ADDRESS INDICATION FORM that appoints practitioners associated with USPTO CN 51472 and also indicated the correspondence address (USPTO CN 51472) within a mailing to the USPTO that was submitted on 03-10-2006, as is indicated in the image file wrapper on public PAIR (*NOTE: this earlier submitted Power of Attorney has a mail room date of 03-21-2006 as indicated at web site <http://portal.uspto.gov/external/portal/pair> ).*

**(A) The required reply**

*(1) Response to office action mailed on 07-10-2006 (Part of Paper No./Mail Date 20060613)*

The Applicant respectfully asserts that the Applicant never received from the USPTO the office action that was mailed on 07-10-2006 (Part of Paper No./Mail Date 20060613). This office action (Part of Paper No./Mail Date 20060613) was incorrectly mailed to “CHRISTIE, PARKER & HALE, LLP”.

Upon receipt of the NOTICE OF ABANDONMENT (Part of Paper No./Mail Date 20070122) which was sent to the Applicant from “CHRISTIE, PARKER & HALE, LLP”, the Applicant went to PAIR (<http://portal.uspto.gov/external/portal/pair> ) and downloaded a soft copy of the office action that was mailed on 07-10-2006 (Part of Paper No./Mail Date 20060613).

The Applicant submitted a POWER OF ATTORNEY and CORRESPONDENCE ADDRESS INDICATION FORM that was mailed to the USPTO on 03-10-2006 that appoints practitioners associated with USPTO CN 51472. The Applicant respectfully points out that the Examiner seems to have properly updated the Attorney Docket Number in response to the Applicant’s mailing of 03-10-2006, yet the Examiner apparently has failed ever to enter the POWER OF ATTORNEY and CORRESPONDENCE ADDRESS INDICATION FORM that was submitted concurrently with the amendment to the Attorney Docket Number.

Therefore, it seems that the Examiner apparently never updated the POWER OF ATTORNEY and CORRESPONDENCE ADDRESS of the present U.S. utility patent application, despite that the POWER OF ATTORNEY and CORRESPONDENCE ADDRESS INDICATION FORM was submitted within Applicant’s mailing of 03-10-2006.

The Applicant also respectfully submits a copy of the “Attorney/Agent Correspondence Information” that is available via public PAIR (<http://portal.uspto.gov/external/portal/pair> ) for the present U.S. utility patent application, and even as late as 03-22-2007, the “Attorney/Agent Correspondence Information” still corresponds to “CHRISTIE, PARKER & HALE, LLP”. This is

Also, as can be seen on the enclosed copy of the 1<sup>st</sup> and 2<sup>nd</sup> pages of the office action that was incorrectly mailed to “CHRISTIE, PARKER & HALE, LLP” on 07-10-2006 (Part of Paper No./Mail Date 20060613), the correspondence address thereof is incorrectly addressed to “CHRISTIE, PARKER & HALE, LLP”.

Also, as can be seen on the enclosed copy of the NOTICE OF ABANDONMENT (Part of Paper No./Mail Date 20070122), the correspondence address thereof is addressed to “CHRISTIE, PARKER & HALE, LLP”.

Via a 2-day Federal Express correspondence dated 02-22-2007 from “CHRISTIE, PARKER & HALE, LLP”, the Applicant did ultimately receive the NOTICE OF ABANDONMENT (Part of Paper No./Mail Date 20070122) from “CHRISTIE, PARKER & HALE, LLP”.

The Applicant respectfully requests that the Examiner update the “power of attorney” of the present U.S. utility patent application that appoints practitioners associated with USPTO CN 51472, and the Applicant also respectfully requests that the Examiner update the correspondence address of the present U.S. utility patent application to be that of practitioners associated with USPTO CN 51472, which is also listed below:

**PROPER CORRESPONDENCE ADDRESS:**

GARLICK HARRISON & MARKISON  
P.O. Box 160727  
AUSTIN, TEXAS 78716-0727

The Applicant is also submitted herewith a response to the office action that was mailed on 07-10-2006 (Part of Paper No./Mail Date 20060613).

**(B) The petition fee as set forth in 37 CFR 1.17(m)**

The Applicant is also submitting herewith a petition fee as set forth in 37 C.F.R. § 1.17(m) of \$1,500.00.

**(C) A statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional**

As also stated above, the Applicant respectfully asserts that the entire delay in filing the required reply from the due date for the reply until the filing of this grantable petition pursuant to 37 C.F.R. § 1.137(b) was unintentional.

As also stated above, the Applicant respectfully asserts that the Applicant never received from the USPTO the office action that was mailed on 07-10-2006 (Part of Paper No./Mail Date 20060613); it was incorrectly mailed to "CHRISTIE, PARKER & HALE, LLP". The Applicant respectfully asserts that the Applicant received the NOTICE OF ABANDONMENT (Part of Paper No./Mail Date 20070122) from "CHRISTIE, PARKER & HALE, LLP" via a 2-day Federal Express correspondence dated 02-22-2007.

The Applicant respectfully believes that, at least in part, because of the Examiner's apparent failure to update the correspondence address of the present U.S. utility patent application to be that of practitioners associated with USPTO CN 51472, and also that, at least in part, because of the confusion between "CHRISTIE, PARKER & HALE, LLP" and the Applicant, the Applicant's representative (i.e., attorneys of Garlick Harrison & Markison) did not receive the proper correspondence from the USPTO and the present U.S. utility patent application unintentionally became abandoned.

The Applicant is also enclosing herewith a copy of the "Patent Prosecution record" of the present U.S. utility patent application which shows that the last item sent to the USPTO from the Applicant was an RCE (Request for Continued Examination) that was mailed on 05-30-2006. As also indicated in the copy of the "Patent Prosecution record", the Applicant then received the NOTICE OF ABANDONMENT (Part of Paper No./Mail Date 20070122) from "CHRISTIE, PARKER & HALE, LLP" on 02-24-2007. (i.e., this correspondence from "CHRISTIE, PARKER & HALE, LLP" was sent via a 2-day Federal Express correspondence dated 02-22-2007).

The Applicant respectfully believes that all requirements have been sufficiently met within this PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 C.F.R. § 1.137(b), and the Applicant respectfully requests that the Examiner withdraw the holding of abandonment of the present U.S. utility patent application.



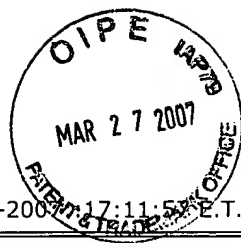
The Examiner is invited to contact the undersigned by telephone or facsimile if the Examiner believes that such a communication would advance the prosecution of the present U.S. utility patent application.

RESPECTFULLY SUBMITTED,

By: /SXShort/ Reg. No. 45,105  
Shayne X. Short, Ph.D., Reg. No. 45,105  
Direct Phone: (512) 825-1145  
Direct Fax No. (512) 394-9006

GARLICK HARRISON & MARKISON  
ATTORNEYS AT LAW  
P.O. Box 160727  
AUSTIN, TEXAS 78716-0727

TELEPHONE (512) 825-1145 / FACSIMILE (512) 394-9006 OR (512) 301-3707



Search results as of: 03-22-2007 17:11:58 E.T.

**Attorney/Agent Correspondence Information****Correspondence Address**

Name: CHRISTIE, PARKER & HALE, LLP  
 PO BOX 7068  
 Address: PASADENA CA 91109-7068  
 UNITED STATES (US)

**Attorney/Agent Information**

Reg #	Name	Phone
53601	Sitzer, Andrew	626-795-9900
36045	Wang, Anne	626-795-9900
39759	Marantidis, Constantinos	626-795-9900
20958	Prout, D	626-795-9900
41661	Cavanagh, Daniel	626-795-9900
34849	Kimbell, Daniel	626-683-4547
59632	Bailey, David	949-476-0757
30831	Dillard, David	626-795-9900
37208	Plumley, David	626-795-9900
47317	Steele, David	626-795-9900
55574	Ritcherson, Deidra	626-795-9900
31135	Schwartz, Edward	626-795-9900
47947	Sirjani, Fariba	510-595-7520
44257	Nelson, Gary	626-795-9900
35581	Lampert, Gregory	626-795-9900
22653	Carney, Hayden	626-795-9900
41886	Kauth, Joel	949-476-0575
34133	Carpenter, John	626-795-9900
44284	Peck, John	949-476-0757
58898	Hodges, Jonas	626-795-9900
46083	Chang, Josephine	626-795-9900
43693	Jeon, Jun-Young	626-795-9900
20356	Rahn, L	626-795-9900
31953	Garscia, Mark	626-795-9900
29946	MacDermott, Michael	626-795-9900
58941	Lee, Norman	626-795-9900
55905	Bajracharya, Oliver	626-795-9900
45574	Hsueh, Peter	626-795-9900
43945	Tabandeh, Raymond	626-795-9900
28248	Paciulan, Richard	626-795-9900
22671	Wallen, Richard	626-795-9900
24187	Ward, Richard Jr	626-795-9900

46525	Auerbach, Robert	626-795-9900
28301	Green, Robert	626-795-9900
54167	Hickman, Rose	310-785-4600
52035	Mirsafian, Saeid	949-476-0757
40285	Burbach, Stephen	818-952-6236
41057	Hasan, Syed	626-795-9900
32213	Daly, Thomas	626-795-9900
58944	Parcher, Tiffany	626-795-9900
44641	Dao, Tom	949-476-0757
25355	Maxwell, Walter	818-795-9900
39778	Monroe, Wesley	626-795-9900
29371	Christie, William	626-795-5843

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UNITED STATES PATENT AND TRADEMARK OFFICE

MAR 27 2007

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
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Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/729,443	12/04/2000	Steven T. Jaffe	BP1235	6265

23363 7590 07/10/2006

CHRISTIE, PARKER & HALE, LLP  
PO BOX 7068  
PASADENA, CA 91109-7068

EXAMINER

TORRES, JUAN A

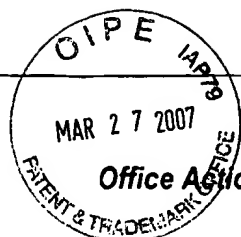
ART UNIT

PAPER NUMBER

2611

DATE MAILED: 07/10/2006

Please find below and/or attached an Office communication concerning this application or proceeding.



<b>Office Action Summary</b>	<b>Application No.</b> 09/729,443	<b>Applicant(s)</b> JAFJE ET AL.
	<b>Examiner</b> Juan A. Torres	<b>Art Unit</b> 2611

– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 05 June 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-3, 5-16, 18-22, 24-28, 30-42, 44-48, 50-54 and 56-61 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3, 5-16, 18-22, 24-28, 30-42, 44-48, 50-54 and 56-61 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

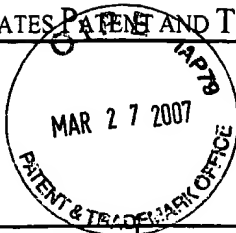
\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |



# UNITED STATES PATENT AND TRADEMARK OFFICE



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/729,443	12/04/2000	Steven T. Jaffe	BP1235	6265

23363 7590 02/12/2007  
CHRISTIE, PARKER & HALE, LLP  
PO BOX 7068  
PASADENA, CA 91109-7068

EXAMINER
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TORRES, JUAN A

ART UNIT	PAPER NUMBER
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2611

MAIL DATE	DELIVERY MODE
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02/12/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.



20

**Notice of Abandonment**

Application No.

09/729,443

Examiner

Juan A. Torres

Applicant(s)

JAFJE ET AL.

Art Unit

2611

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

This application is abandoned in view of:

1. ☒ Applicant's failure to timely file a proper reply to the Office letter mailed on 10 July 2006.
  - (a) ☐ A reply was received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the period for reply (including a total extension of time of \_\_\_\_\_ month(s)) which expired on \_\_\_\_\_.
  - (b) ☐ A proposed reply was received on \_\_\_\_\_, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection.  
(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
  - (c) ☐ A reply was received on \_\_\_\_\_ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
  - (d) ☒ No reply has been received.
2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
  - (a) ☐ The issue fee and publication fee, if applicable, was received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
  - (b) ☐ The submitted fee of \$\_\_\_\_\_ is insufficient. A balance of \$\_\_\_\_\_ is due.  
The issue fee required by 37 CFR 1.18 is \$\_\_\_\_\_. The publication fee, if required by 37 CFR 1.18(d), is \$\_\_\_\_\_.
  - (c) ☐ The issue fee and publication fee, if applicable, has not been received.
3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
  - (a) ☐ Proposed corrected drawings were received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the period for reply.
  - (b) ☐ No corrected drawings have been received.
4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. ☐ The decision by the Board of Patent Appeals and Interference rendered on \_\_\_\_\_ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. ☐ The reason(s) below:

TEMESGHEN CHERETINSAE  
PRIMARY EXAMINER

2/8/07

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.



# Patent Prosecution

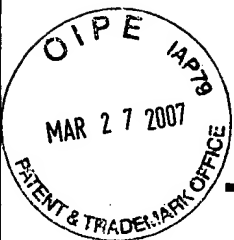
Docket No **BP1235** Status **Pending** attorney **SXS** Client **Broadcom**

country **US** filing date **12/4/2000** Client No **BC\_01**

appl title **VITERBI SLICER FOR TURBO CODES**

Action	Action initiation date	Action due date	Action filed date	Action bar date	Action remarks
Final Office Action Response	2/10/2006	4/10/2006	4/10/2006	8/10/2006	Case transferred from CPH 3/9/06; Claims 1-3, 5-16, 18-22, 24-28, 30-42, 44-48, 50-54 and 56-61 pending/rejected; Updated POA to 51472 mailed 3/13/06; PC rec'd 3/30/06; PC rec'd 4/26/06;
	if other, enter due date				
	and bar date				
RCE or File Notice of Appeal	2/10/2006	4/10/2006	4/10/2006	8/10/2006	PC rec'd 4/26/06;
	if other, enter due date	4/10/2006			
	and bar date				
Respond to Advisory Action	2/10/2006	5/10/2006	5/30/2006	8/10/2006	Filed RCE w/1 mo eot 5/30/2006; PC rec'd 6/12/06
	if other, enter due date	5/10/2006			
	and bar date				
File Petition to Revive	2/12/2007	4/12/2007		4/12/2007	Previous OFFICE ACTION and NOTICE OF ABANDONMENT were mailed improperly to CHRISTIE, PARKER & HALE, LLP (CPH) despite earlier filed POA. NOTICE OF ABANDONMENT
	if other, enter due date	4/12/2007			
	and bar date	4/12/2007			
	if other, enter due date				
	and bar date				
	if other, enter due date				
	and bar date				
Examiner appeal response rcvd					
Board Decision Date					





**BROADCOM CORPORATION**  
16215 Alton Parkway, P.O. Box 57013  
Irvine, California 92619-7013

Phone: 949-450-8700  
Fax: 949-450-8710

IPF

February 8, 2005

To whom it may concern:

I, Henry Samueli, hereby authorize Dee Henderson, Senior Manager, Intellectual Property Administration, to execute documents relating to US and foreign patent and trademark matters on behalf of Broadcom Corporation and/or its subsidiaries.

Henry Samueli, Ph.D.  
Chief Technical Officer



**BROADCOM CORPORATION**  
16215 Alton Parkway, P.O. Box 57013  
Irvine, California 92619-7013

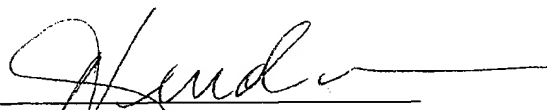
Phone: 949-450-8700  
Fax: 949-450-8710

June 2, 2006

TO WHOM IT MAY CONCERN

I, Dee Henderson, do hereby authorize the practitioners associated with USPTO (United States Patent and Trademark Office) Customer Number 51472 (whose information is provided below) to act on behalf of the Assignee, Broadcom Corporation, in patent related matters before the USPTO.

This authorization granted to practitioners associated with USPTO Customer Number 51472 includes the authorization to execute statements made under 37 C.F.R. §3.73(b) on behalf of the Assignee, Broadcom Corporation.

  
Dee Henderson  
Senior Manager, Intellectual Property Administration

**USPTO CN 51472**  
Garlick Harrison & Markison  
P.O. Box 160727  
Austin, Texas 78716-0727  
TEL: (512) 264-8816  
FAX: (512) 264-3735



PTO/SB/80 (01-06)

Approved for use through 12/31/2008. OMB 0651-0035  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**POWER OF ATTORNEY TO PROSECUTE APPLICATIONS BEFORE THE USPTO**

I hereby revoke all previous powers of attorney given in the application identified in the attached statement under 37 CFR 3.73(b).

I hereby appoint:



Practitioners associated with the Customer Number:

51472

OR



Practitioner(s) named below (if more than ten patent practitioners are to be named, then a customer number must be used):

Name	Registration Number	Name	Registration Number

as attorney(s) or agent(s) to represent the undersigned before the United States Patent and Trademark Office (USPTO) in connection with any and all patent applications assigned only to the undersigned according to the USPTO assignment records or assignment documents attached to this form in accordance with 37 CFR 3.73(b).

Please change the correspondence address for the application identified in the attached statement under 37 CFR 3.73(b) to:



The address associated with Customer Number:

51472

OR

<input type="checkbox"/> Firm or Individual Name	Garlick Harrison & Markison		
Address	P.O. Box 160727		
City	Austin	State	Texas
Country	USA		
Zip	78716-0727		
Telephone	(512) 264-8816	Email	(512) 264-3735

Assignee Name and Address:

Broadcom Corporation  
16215 Alton Parkway  
Irvine, California 92618-7013

Note: Broadcom Corporation is a California corporation

A copy of this form, together with a statement under 37 CFR 3.73(b) (Form PTO/SB/96 or equivalent) is required to be filed in each application in which this form is used. The statement under 37 CFR 3.73(b) may be completed by one of the practitioners appointed in this form if the appointed practitioner is authorized to act on behalf of the assignee, and must identify the application in which this Power of Attorney is to be filed.

SIGNATURE of Assignee of Record

The individual whose signature and title is supplied below is authorized to act on behalf of the assignee

Signature		Date	6/7/06
Name	Dee Henderson	Telephone	(949) 450-8700
Title	Senior Manager, Intellectual Property Administration		

This collection of information is required by 37 CFR 1.31, 1.32 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: Steven T. Jaffe, Kelly Brian Cameron, Christopher R. JonesApplication No./Patent No.: 09/729,443 Filed/Issue Date: 12-04-2000Entitled: Viterbi slicer for turbo codes (Attorney Docket No. BP1235)Broadcom Corporation, a California Corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest  
(The extent (by percentage) of its ownership interest is \_\_\_\_\_ %)

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 011595, Frame 0686, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

- ☒ As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

/SXShort/ Reg. No. 45,10503-23-2007

Signature

Date

Shayne X. Short, Ph.D. (Reg. No. 45,105)(512) 825-1145

Printed or Typed Name

Telephone Number

Practitioner associated with USPTO CN 51,472

Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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